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WPS-2535/05

IN THE M.P. STATE ADMINISTRATIVE TRIBUNAL AT RAIPUR
ORIGINAL APPLICATION No. (44) of 1998

Applicant : Ramkumar Yadav
Aged about 31 years
Son of Shri Manglu Ram Yadac
Resident of Village Jawahar Ward, Padaopara
Post - Mungeli, Block & Tah.- Mungeli
Distt. Bilaspur (M.P.)
(Ex-Mansevi Sahayak Shikchhak,
Previously appointed on due selection
and eligibilities against the vacant post of
Asstt. Teachers, under the Edn. Deptt. of
Govt. of M.P.)

VERSUS

NON-APPLICANTS/ RESPONDENTS :

(1) State of M.P.
Through Secretary,
School Education Department,
Mantralaya, Vallabh Bhawan,
Bhopal (M.P.)

(2) Commissioner of Public Instructions,
Govt. of M.P., Education Deptt.,
Directorate of Public Instructions,
(DPI Office), Near Chetak Bridge,
Bhopal (M.P.)

(3) Deputy Director of Public Instructions
Govt. of M.P., Education Deptt.
Education Distt. Bilaspur,
P.O. Bilaspur (M.P.)

(4) Block Education Officer
Govt. of M.P., Education Deptt.
P.O. Mungeli, Tah. Mungeli,
Distt. Bilaspur (M.P.)

Application under section 19 of the Administrative Tribunal Act 1985 (No.13 of 1985) read with Articles 14, 16, 21 & 311 of the Constitution of India, considered with Principles of Natural and Social Justice.

PARTICULARS OF APPLICATION

1. **Particulars of Applicant** : As in CauseTitle.
2. **Particulars of Non - Applicant** : As in Cause Title.
3. **Particulars of the Orders against whic the application is made**

The Applicant is not aggrieved by any particular orders but is aggrieved by the action of the Non-Applicants/Respondents, in not considering the demand of Justice in the case of the Applicant, by reinstatement/re-appointment and regularisation as Asstt. Teascher on the regular scale of pay and changing the Education Policies every now & then and violating the Mandatory Provisions of Articles 14, 16, 21 and 311 of the Constitution of India and also the Principles of Natural and Social Justice, Equity and Fair Play in Administration and abusing their powers in the matter of public employment.

4. **Jurisdiction of The Hon'ble Tribunal :**

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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.2535 OF 2005

Petitioner	:	Ramkumar Yadav
	versus	
Respondents	:	State of M.P. and others

Present : Mr. Alok Nigam, counsel for the petitioner.
Mr. Ajay Dwivedi, Panel Lawyer for the respondents/State.

ORDER
(Passed on 7th of September, 2006)

It is submitted that the facts and question of law involved in the present petition are same to that of in *Ram Sahay Jha vs. State of Madhya Pradesh and others* (Original Application No.15/1995). The Madhya Pradesh Administrative Tribunal, Jabalpur, by its judgment and order dated 16-2-1996, allowed the application of the petitioner therein. Learned counsel for the petitioner seeks permission of this Court to approach the respondents/State for consideration and disposal of the petitioner's

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case in terms of the order dated 16-2-1996 passed in the case of *Ram Sahay Jha* (Supra) by Madhya Pradesh Administrative Tribunal, Jabalpur.

2. Learned counsel appearing for the respondents/State fairly agrees with the submissions made by learned counsel for the petitioner.

3. Accordingly, the petitioner is granted liberty to make a representation before the respondents – State Authorities for their decision on the representation in the light of the order dated 16-2-1996 passed in the case of *Ram Sahay Jha* (Supra), in accordance with law, on its own merit, within reasonable time.

4. With the above-stated liberty, this petition stands disposed of. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

Gopal